

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**DONALD H. MacDERMID,** )  
**individually and as Administrator of** )  
**the Estate of NINA KAY MacDERMID,** )

**Plaintiff,** )

**vs.** )

**CASE NO. 1:03-0111**  
**JUDGE KNOWLES**

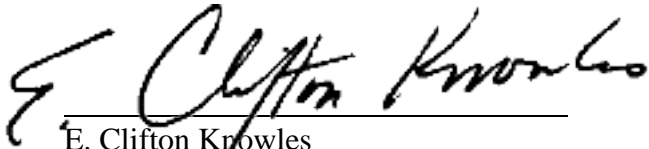
**DISCOVER FINANCIAL SERVICES,** )  
**d/b/a DISCOVER CHARGE CARD,** )

**Defendant.** )

**ORDER**

In accordance with the Memorandum Opinion entered contemporaneously herewith, Defendant's Motion for Summary Judgment (Docket No. 51) is hereby GRANTED, the Court finding that there is no genuine issue as to any material fact and that Defendant is entitled to a judgment as a matter of law. Plaintiff's claims are, therefore, DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

  
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E. Clifton Knowles  
United States Magistrate Judge